

“Once in a Lifetime Opportunity”

By Bill O’Brien

Everyone of us has heard the time-worn expression, “Once in a lifetime opportunity,” that is used to describe a single event or series of events that can have a profound change on one’s life, career, job satisfaction, and income. For we the technicians, as a profession, this once in a lifetime opportunity has arrived. This opportunity is cleverly camouflaged as a Notice of Proposed Rulemaking (NPRM) titled: Revision of Certification Requirements: Mechanics and Repairmen.

The NPRM was published on July 9, 1998, in Volume 63 Number 131, pages 37171 to 37210. If enacted, its numerous and specific rule changes will have a profound impact on the maintenance community. This NPRM is quite different in many areas from the NPRM published in August 1994 that first raised the issue of the Part 66 mechanic certification rule. The new NPRM is so different that the FAA had to cancel the old one. So, if you think you know what is going to happen with mechanic certification based on old information, be ready for a surprise because the rules have changed! So please, take the time and STUDY the new NPRM!

Once in a lifetime opportunities do not last forever. Technicians and interested parties will have 120 days from the date of publication to November 5, 1998 to comment on the proposed rule changes. It is absolutely vital for the future of our profession that every certificated technician, repairman, instructor, IA, and student technician comment on this rule. Why? Because I firmly believe that this rule will not be changed to such an extent again in our lifetime.

The NPRM is big, even by government standards. It is almost as long as The Iliad, filling 39 pages of tiny print in the Federal Register. So, plan a least a couple of evenings to wade through the fine print of the NPRM pages. It will be a painful, but educational experience and for many of you, your first introduction into our legal system of rule making. The complexity of rule making in this country is a result of our Federal Aviation Regulations (FAR) that have the force of law, and you will have to read the NPRM several times to separate the sum and substance from the legal jargon. Once your two- or three-day legal review is completed, copy down your notes on the changes you are interested in and discuss it with your fellow technicians at work during lunch or break. PAMA chapters and unions might consider this a subject for debate and discussion at several monthly meetings, so get input from others before you submit your comments. For those of you who have seen me give IA renewals and maintenance presentations, or have read an article or two that I have written, you may have noted that I am rarely shy about offering my opinion on aviation maintenance related subjects. However, for the rest of this article, I will provide you with an outline of the significant changes being offered in the NPRM without interjecting a personal comment or two. I must hold comment for two good reasons. First, as a FAA employee, it would be unprofessional for me to publicize any personal comments, good or bad, about an NPRM that is still open for public comment.

The second, and most important reason, is I believe the average technician has more than enough common sense to make up his or her own mind on this NPRM, and doesn't need my help to see how any new rule would impact their job, career, and long-term ambitions. However, as a certificated mechanic, I do plan to make my own private comments to the rules docket on this NPRM and I hope I am not alone.

This overview of the NPRM is just what it means, an overview. It is limited in size and scope because of lack of personal comment and this publication's limitations on the number of words per article. Please do not use this article as your only source of information. I urge you to take the time, invest two or three evenings studying and commenting on the proposals in the NPRM. If we, the maintenance community, become indolent on this very important issue, or worse yet, believe that 125,000 active technicians are impotent and their comments cannot effect change in the proposed rules that sets the standard for our profession, then we will certainly deserve what we get.

OVERVIEW:

1. Under the NPRM, a current certificated technician with both the airframe and powerplant rating would be considered the equivalent of an AMT(T) (aircraft). The A&P would continue to enjoy the same privileges under the proposed rule as he has under Part 65. He would not be required to exchange his A&P for an AMT(T). But, a Part 65 certified mechanic with one rating (airframe) would not be issued an AMT(T) unless that technician took and passed the powerplant rating. The technician would have to complete the powerplant exams inside an 18-month window, which starts on the date of the publication of the final notice of rulemaking on Part 66 in the Federal Register. If the technician does not, he would have to complete a curriculum at a FAA approved training provider to obtain the additional rating. However, the technician would continue to hold his current single rating and privileges.

2. A new Part 66 will be established titled: Certification: Aviation Maintenance Personnel. The subparts D (mechanics) and E (repairman) in Part 65 will be removed and used to create subpart B (Aviation Maintenance Technician), subpart C (Aviation Maintenance Technician Transport), subpart D (Inspection Authorization), and subpart E (Aviation Repair Specialist – section 66.1).

Subpart A (General) of Part 66 will contain language similar to Subpart A of the older Part 65, (drugs, alcohol, and cheating), but includes the requirement for all Part 65 certified mechanics to register with the FAA's Airman Certification Branch in Oklahoma City within 12 months after the effective date of the final rule and periodic AMT(T) registration at the every 48 calendar months thereafter. (section 66.17) The new rule also prohibits falsification; reproduction; or alterations of applications, certificates, logbooks, reports, or records. If found guilty of such an act, the individual may have some or all of his certificates suspended or revoked. (section 66.19)

3. The term mechanic will be retired. It will be replaced with the term Aviation Maintenance Technician (AMT). There would be two AMT certificates: Aviation Maintenance Technician (AMT) and Aviation Maintenance Technician – Transport

(AMT(T)). (section 66.51 and section 66.101) The major difference between the two certificates is the holder of an AMT(T) certificate will be able to return all types of aircraft for return to service, including transport – category aircraft certificated under Part 25 and Part 29. The ability to sign off all types of aircraft for return to service is the same privilege that all current A&P mechanics presently enjoy and this privilege will be grandfathered under the proposed rule.

4. There will be two ratings under an AMT(T) certificate: Aircraft and Aviation maintenance instructor. (section 66.53)

5. To qualify to take the AMT test, the individual must show 5000 hours of practical experience in procedures, tools, materials, etc., or graduate from a FAA certificated aviation maintenance school. (section 66.65) The AMT(T) has the same requirements as an AMT, but will include an additional 573 training hours in such broad subject areas as advanced electronics; composites; structural repair; powerplants and systems; publications; safety and environments found on transport aircraft. The actual subjects taught would be identified in a FAA Advisory Circular. An “approved” training provider would only supply this training for an AMT(T). (section 66.107 and Appendix A to Part 66)

6. Holders of the older Airframe and Engine (A&E) mechanics certificates that were last issued by the CAA in 1952 and still intend to exercise the privileges of a mechanic, are strongly urged to exchange their old A&E certificate for an A&P mechanic’s certificate before the effective date of the final rule. (18-month window) If you do not request the local FSDO to reissue to you an A&P certificate, (no test is required other than showing up) your A&E certificate and all privileges that go with it, including your Inspection Authorization (IA) if you have one, will become inactive until you receive your new A&P or AMT(T).

7. The NPRM proposes to require recent experience requirements (section 66.65 and 66.111) for AMT(T) who work for compensation and hire. This will include mandatory refresher courses, such as an Inspection Authorization refresher course or other courses of instruction acceptable to the administrator every 24 months in addition to actual work on aircraft. This rule change does not include technicians who work for FAR Part(s) 121, 135, or 145 operators.

8. The NPRM will allow an AMT to repair or alter a horizontal-card, liquid-filled compass and approve it for return to service. (section 66.63(d)(2)(ii))

9. Individuals who wish to work as an aviation maintenance instructor in a Part 147 Aviation Maintenance Technician School must meet the following requirements for the rating. (section 66.67)

- Hold a current AMT with airframe rating
- The AMT must be in effect for at least 3 years
- Pass a knowledge test within 24 months of the date of applying for the rating, or hold an current and valid ground instructor or flight instructor rating or present documentary

evidence showing a degree in education or an occupational education from an accredited institution, or hold a current, State teacher's certificate, or shows the administrator that the applicant has served as an aviation maintenance instructor or supervisor at a Part 147 school

10. Part 147 Instructors under the proposed rule will be required to document 300 hours of instructional or supervisory time for each 24 preceding months, or complete an instructor's refresher course each 24 months.

11. Proposed changes in the NPRM for the Inspection Authorization are:

- The holder of an IA must have either an AMT or an AMT(T)
- An applicant for an IA must have completed an 8-hour IA inspection authorization refresher course within 12 calendar months prior to applying for an IA (section 66.151)
- An AMT(T) with an IA can sign off Part 25/29 category aircraft if approved by the carrier. The IA is renewed every 24 calendar months; and annuals, major repairs, or alterations required for renewal, can be combined (section 66.155) However, if the IA plans to renew by going to an IA refresher course, the required refresher course time is doubled to 16 hours. The 16-hour requirement can be spread out over the 24-month period.

12. The NPRM will make the term "Repairman" obsolete. It will be replaced with the term: "Aviation Repair Specialists" (ARS). There will be three different kinds of ARS ratings: ARS I, ARS II, and ARS III.

13. The proposed ARS I applicant must be 18 years of age, understand and speak the English language, and present a certificate or other documentary evidence that demonstrates satisfactory completion of training course or program that is recognized by the FAA as meeting a national or international standard for a rating/certificate in a certain specialty area. The ARS I is issued to the individual and not the repair station or air carrier and may be issued based on national and international qualifications. Unlike the ARS II certificate, the ARS I certificate is independent of repair stations or air carriers that the holder works for. If the ARS I changes employers, the ARS I certificate goes with the individual. The ARS I must understand the current instructions of the certificate holder that relate to the specific operations that the ARS I performs. (section 66.201 and 66.209)

14. The ARS II is basically the same as the current repairman certificate. The proposed ARS II applicant must be 18 years of age, understand and speak the English language, be specially qualified to perform maintenance on aircraft, be employed by an air carrier or repair station in a specific job that requires those special qualifications according to its continuous airworthiness maintenance program identified under its operating certificate, or approved operations specifications. The ARS II applicant must be recommended for certification by his or her employer, and have at least 3000 hours of practical experience in the maintenance duties required to be performed under the ARS II rating, or have formal training in the specialty that is acceptable to the administrator. In addition, the ARS II is held accountable for and must understand the limitations of the Manual of each

certificate he or she works for. (section 66.209) Current Repairmen will be grandfathered into ARS II under the proposed rule.

15. The ARS III is issued for experimental aircraft builders. The ARS III is almost identical to the old repairman rule in Part 65 (section 66.205) and current repairmen (experimental, amateur-built) will be grandfathered.

Anyone can visit the rules docket in room 915G on weekdays from 8:30 am to 5pm and review the comments that have been submitted. For those of you with minds that are now a cauldron of questions on the proposed rule change, you can contact Les Vipond, the rule's program manager at (202) 267-3269.

If I may, I would like to offer some suggestions on how to comment successfully. Please tell us what you like about the new rule change as well as what you do not like. If you do not like a proposed rule change please tell us why, and offer your solutions or recommendations. Be clear, complete, and correct in all your comments. Also, avoid what I call Xerox® birthday card comments. This is when one individual gets all excited about a rule, and run off a million copies of his comment letter to the docket, and then gets everybody within a 45-mile radius of his house to sign on the dotted line. The FAA will treat such letters as you or I would treat a Xerox® birthday card.

I sincerely hope that all of you will not be affected by "Goldilocks syndrome" (everything is just right), or delegate your own responsibility to research the NPRM to someone else and use their comments to send to the docket under your name by November 6th. I don't even want you to make comments on the NPRM for yourself. I want you to submit your comments for all of those future technicians now in grade school and high school — those young men and women who will follow us and stand on our shoulders. Years from now they will thank us for our professionalism and our commitment to professionalism as we have done in recognizing and thanking the "Master Mechanics" award winners of today.

Don't let them down — this is your once in a lifetime opportunity!

Here's where to send your comments!

NOTE: Comments on this proposed rule must be marked:

DOCKET NO. 27863 and should be delivered or mailed, in triplicate to:

Federal Aviation Administration
Office of Chief Counsel
Attn: Rules Docket (AGC-200)
Docket No. 27863,
Room 915G,
800 Independence Ave, S.W.
Washington, D.C. 20591

Or, for you web crawlers, your comments can be sent electronically to the following Internet address:

9-NPRM-CMTS@faa.dot.gov

How to get a copy of the NPRM

The fastest way to get a copy of the NPRM is call up the Internet's FAA WebPages at:

<http://www.faa.gov/AVR/arm/nprm/nprm.htm>

(Editor's note: The phone number given on webpage to obtain this NPRM is incorrect. The correct number is (202) 267-9680.)

Or —

Access the Federal Register's webpage at: <http://www.access.gpo.gov/nara> and follow the directions. However, please make sure your printer has a lot of paper in the tray!

For those of us who do not like going through an electronic middleman for information, copies of the NPRM are available if you send a request to:

Federal Aviation Administration

Office of Rulemaking

ARM-1, Room 810

800 Independence Avenue, S.W.

Washington, D.C. 20591

or by calling (202) 267-9680.

In both cases, you must identify the NPRM title: 14 CFR, Parts 65,66, and 147, Revision of Certification requirements: Mechanics and Repairmen; Proposed Rule, and the notice number of the NPRM (Notice #98-5) when requesting a copy.